



A WEEKLY COMMENTARY

ON TARGET

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The price of Freedom is eternal vigilance –

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THOUGHT FOR THE WEEK: "There can be no adequate understanding of the suicide or survival alternative facing humanity, without a proper perception of the financial reality that is the abuse of the role of money which is the root cause of all economic evil, and hence of most of the social disorders threatening the future of society.

Once a nation loses control of its currency and credit to selfish privatized interests, it matters little what political party is in power or who makes its laws. Usurious banking, by its intrinsically evil and anti-social nature, will wreck any nation once it usurps power and will ultimately destroy itself, as will any finite self-centred positive feedback evolutionary system."

– Peter Lock in "Malice in Plunderland", August 2008

AN OPEN LETTER TO BOB DEBUS from Nigel Jackson:

The Hon. Bob Debus, Minister for Home Affairs, Parliament House, Canberra, A.C.T., 2600.
1st September 2008.

Dear Mr. Debus,

Proposed Extradition to Hungary of Mr. Charles Zentai: It has been reported in the national press that, if Mr Zentai's current appeal fails, his last avenue of action to prevent his extradition to Hungary will rest in an application to you to be excused extradition on grounds of his age and/or poor health.

I am writing to you to ask that, should such an application be made, you accede to it and allow Mr Zentai to conclude his life in Australia.

It is a time-honoured precept that justice needs to be qualified and mitigated in many contexts by mercy. I believe that this is such a case. I have watched my own father decline from frail but moderately good health (at the age of eighty-three) to death via serious mental erosion (at the age of eighty-six). It would have horrified me to find him asked to stand trial in those years for any serious crime: the physical and psychological strength to defend his interests would simply not have been there.

In the case of Mr. Zentai, however, there are very strong presumptions that any trial staged by Hungary in the matter on which he is accused would take place in circumstances of exceptional difficulty for the defence even if the defendant were in the prime of life and vigorously ready and eager to defend himself.

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It is my contention that these circumstances bear on the aspects of Mr Zentai's case which you may be required to examine if he makes an application to you.

The gist of the situation is that it seems impossible that he can receive a fair trial in Hungary, as we understand such a concept in terms of our traditional legal procedures; and that, apart from that, there would be a grossly unequal contest (having in mind the forces arrayed against him), such as is very highly likely to lead to serious injustice.

Please consider the relevant factors which I will now lay before you in no particular order of precedence.

(1) As distinguished QC Dr. I. C. F. Spry argued ('Legal Notes: The Kalejs Case: An Inappropriate Pursuit', in *National Observer*, Council for the National Interest, No. 44, Autumn 2000, pp 61 to 66), the amendment of the War Crimes Act in 1989 was an injudicious decision, opposed by many of Australia's senior lawyers. Dr. Spry commented that 'it is inherently unsafe to prosecute people for offences that took place fifty years ago. Memories and recollections are commonly unsafe after more than several years, and evidence by wholly or partly senile individuals, after fifty years, is inappropriate.' Dr. Spry added that it is regrettable that further amendment of the Act was allowed 'so as to remove the requirement, where extradition is sought by a foreign country, of proof of a prima facie case that a relevant offence has been committed.' In my view, no such case has been established by Hungary, since its prosecutors seem to be relying on statements given as evidence in communist courts soon after World War Two (when passions still ran hot in that nation). Any evidence or findings of such courts must be regarded as tainted by those of us who understand the fullness of the indictments brought against communism by men such as Alexander Solzhenitsyn, George Orwell and Arthur Koestler. It is quite possible that accusations against Mr. Zentai in those long-ago communist proceedings were obtained under duress and/or uttered by men desperate to soften their own punishments.

Dr. Spry further added that 'there is a significant prospect' that persons extradited from Australia to central European nations such as Latvia or Hungary 'will not receive a fair trial. Intense political pressure, from Jewish sources particularly, is being placed on Latvia to try to convict Kalejs, regardless of legalities. What is being sought is a conviction, not, it appears, a fair trial.'

Dr. Spry pointed out that the situation of subordinates in war conditions also needs to be taken into account. If such men are ordered to perform certain acts, in the knowledge that they may be executed if they do not perform those acts, prosecution is not appropriate. 'Nor, indeed, would extradition to any foreign country wishing to prosecute subordinates be appropriate.'

(2) Remarks made by Canadian attorney Douglas H. Christie are also germane ('Introduction' to *The Path of Legal Warfare: Imre Finta's Trial for War Crimes* by Keltie Zubko, Veritas Publishing Company Pty. Ltd., 1991). Finta, a Hungarian, was acquitted of alleged 'Nazi war crimes' on 25th May 1990. He was fortunate to be tried before a jury of ordinary citizens and defended by a counsel (Christie) highly skilled in cross examination. Mr. Christie reported that the case 'demonstrated that a careful examination of survivors' testimony reveals a wealth of contradictions casting serious doubt on the whole story.....

The diaries made at the time by at least one Holocaust survivor did not record many of the horrors she recalled now for the Holocaust Remembrance Association, but it did record many good and happy events which she either chose to ignore or had forgotten.

This problem of false testimony has tainted many important war crimes trials, including not only those already held in Australia (in which most bizarre mis-identifications were made in court by prosecution witnesses, and in which no successful prosecutions could be obtained), but also overseas ones such as those affecting Frank Walus (found innocent despite much witness 'certainty' that he was guilty) and John Demjanjuk in Israel. The corruption of the first Israeli trial of Demjanjuk is

described in appalling detail by the courageous Jewish attorney, Yoram Sheftel, who defended him successfully in his appeal trial (*Show Trial*, Gollancz, London, 1995). It seems reasonable to fear that such travesties of justice may also occur in any Hungarian proceedings against Mr. Zentai.

Christie also drew attention to another unsatisfactory aspect of these war crimes trials: 'In Israel or in Hungary, the state simply assisted the prosecution for years before the trial. They were not obliged to assist the defence at all by the agreement negotiated with Canada by which access to Archives and to all records was assured. The Canadian Government got access to the International Tracing Service at Arolsen where all concentration camp records of the Red Cross are kept. This was denied to the defence.' Thus Finta, an individual person, was involved in unequal contest with opponents including the two governments and the very powerful, influential and financially gifted Jewish lobby. There is a strong presumption that such a contest will await Mr. Zentai if he is extradited to Hungary. Moreover, judging by the way this case has been reported in the major newspapers read in Melbourne (my home city), especially *The Australian*, there is also a strong presumption that the major media are in an alliance against Mr. Zentai too. Opinion articles supporting the extradition have been published, but none opposed to it; and recently even the letters pages have been closed to defenders of Mr. Zentai. It is worth remembering the jubilation with which *The Australian* published (over several full pages) the now infamous verdict of the first Demjanjuk trial.

It is also worth noting that distinguished British author Count Nikolai Tolstoy (a witness for Demjanjuk) also expressed grave reservations about the 'show trial' tendencies of 'Nazi war crimes' trials (Foreword to *The Report of the Symposium on the Proposed War Crimes Legislation in Australia*, Captive Nations' Council of Victoria, Chadstone, 1988): 'Despite the plausible reassurances, it is scarcely credible that it is really intended to protect defendants' rights as carefully as is claimed. Trials of this sort, inevitably lasting for weeks or months and involving the bringing of eyewitnesses and highly paid experts from the other side of the globe, must inevitably prove prohibitively expensive.'

Count Tolstoy, rightly in my view, also challenged the bona fides of the whole campaign against alleged 'Nazi war criminals': 'Nor is it possible to avoid taking into account the bad faith and questionable motives of all too many of the most active proponents of the legislation of the type proposed. Why have they waited so inordinately long before launching their campaign? The claim that they have only recently been alerted to the presence of alleged war criminals in Australia seems scarcely credible. Is it coincidence that the move is one being simultaneously orchestrated in a number of countries around the world, and that in more than one country it is openly acknowledged to be linked as much to current political requirements as to judicial considerations?' That such may also be the case in Australia in 2008 is suggested by remarks by former editor of *The Age* and long-term supporter of the campaign, Michael Gawenda ('War crimes should be punished – no matter how long it takes', *The Age*, 28th August 2008). Mr. Gawenda, in advocating the extradition of Mr. Zentai, wrote that the arguments for such action are 'as much about recognition of what was done as about delivering justice' and that Mr. Zentai's alleged crime is to be seen as 'part of the annihilation of millions of Jews during World War II'.

There is much more that could be placed before you, Mr. Debus, in favour of any application by Mr. Zentai. Among other items, I have in mind the statements made by various of his opponents here and overseas that 'Australia has been too slow to achieve a guilty verdict in a Nazi war crimes trial'. This arouses a presumption that an attitude of 'finding a scalp' may be involved, or of a determination to force Australia to bow in submission to the campaign, or that the Australian Government may even now be under duress to co-operate in the extradition of Mr. Zentai. Such a presumption is strengthened by the opinion article published in *The Australian* by Glenn Milne ('"Idiot" MPs could save Kalejs', 9th October 2000). Milne reported that coalition Senator Vanstone had warned her fellow MPs 'that if they fail to allow Kalejs to be extradited the Government will face an electoral backlash from Australia's

powerful Jewish lobby.' Milne added "Vanstone is not worried about civil liberties niceties. She simply wants Kalejs extradited for political reasons.' This claim was not challenged by the Senator.

On 22nd March 1961 Sir Garfield Barwick announced in the Australian Parliament that the Government had decided to 'close the chapter on war crimes.' I believe that that was a wise decision and that subsequent changes of policy may be leading towards a morally monstrous action (the extradition of Mr. Zentai) which will be a serious blot on the soul of our nation.

Given this whole context, which I have only adumbrated and which really deserves book-length treatment, I argue that at his advanced age and in his frail condition of health Mr Zentai deserves to be protected from such a difficult and questionable set of judicial proceedings. I hope that, if necessary, you will agree with me.

Yours sincerely, Nigel Jackson, Poet.

Come on supporters. Now is the time to get behind Nigel Jackson's Open Letter and write to The Hon. Bob Debus, Minister for Home Affairs, Parliament House, Canberra, A.C.T., 2600, on behalf of Mr. Charles Zentai. Let him live out the rest of his life in peace in Australia.

CANADA AND FREE SPEECH by Ian Wilson LL.B: The Canadian Human Rights Commission has punished writer Mark Steyn, a critic of the Islamisation of the West, for being in breach of Canada's hate speech provisions (as the ruling has been reserved for a few months) comes from his No.1 best-selling book "America Alone" which the proponents argue offend Islam. Indications seem to be that Steyn will lose his case for the truth is no defence in such trials.

Here in Australia the same results are possible as well for our legislation mirrors Canada's. It will just take a bit more political will to move past 'Holocaust deniers' to wipe out the rest of us 'politically incorrect' characters. But no doubt it is on the agenda.

The loss of freedom of speech indicates that the West is losing its way and is undergoing a process of internal decomposition. Now is the time for the lions of freedom – where are you? – to roar as never before. Before it is really too late.

Back in July the papers showed pictures of the Qantas jumbo-jet with a gaping hole in the fuselage. Above it was written "Spirit of Australia". I hope that is not an omen!

NAZI ORGIES AND PRIVACY LAW IN BRITAIN by Ian Wilson LL.B: Max Mosley, Formula One car racing boss and son of you-know-who, apparently engaged in a dress-up Nazi-orgy with prostitutes. "News of the World covered – or uncovered – the event. Mosley sued and won before the English High Court.

Newspapers lamented that Justice David Eady "has almost single-handedly created what is now a privacy law in Britain" ("Mosley Judge Rewrites the Rules, Hurts Media", *The Australian*, 12/8/08, p.31).

And the hurt shows in *The Australian* article. But the Human Rights Act (1998), a gift from the E.U., enshrines in domestic law a right to privacy. Justice Eady is only implementing the law before him. If the media is now hurting then they should have done something before this to oppose 'one world' law.

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